

# **EXHIBIT C**

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**HONORABLE CHARLENE EDWARDS HONEYWELL**

CASE NO. 8:15-cr-64-T-36TBM	DATE: May 18, 2016
TITLE: USA v. <b>SAHER ABDALLAH</b>	
TIME: 9:45 – 11:50 A.M.	TOTAL: 2 Hours 5 Minutes

Courtroom Deputy: Willye MalVeaux Dent	Interpreter: N/A
Court Reporter: Lynann Nicely	Probation: Stephen Edwards
Counsel for Government:	James Preston, Jr.
Counsel for Defendant:	Stephen Crawford

**CRIMINAL MINUTES - SENTENCING REFORM ACT MINUTES**

Present for Government: James Preston, Jr., AUSA and Levi Cobarras, III, DEA Agent.

Present for Defendant: Stephen Crawford, Esq., Gregory Dudley, PhD., and Defendant Saher Abdallah.

Present for Probation: Stephen Edwards.

Present for Pretrial Services: Daia Jung.

Counsel identified.

No Interpreter requested.

Defendant sworn.

Defendant is adjudged guilty on Count Two of the Indictment.

Defendant objected to Paragraphs 32, 37, 41 and 133 as to the *Quantity of Synthetic Marijuana*.

Government opposed, arguing that XLR-11 and UR-144 are most closely related to the substance referenced in the Guidelines as THC; and the Court should apply an equivalency ration of 1:167, as would be consistent with the calculations reflected in the Presentence Investigation Report.

An evidentiary hearing was held on this issue.

Government Witness: Dr. Jordan Trecki, by transcript.

Defense Witness: Gregory B. Dudley, PhD., Professor, Department of Chemistry and Biochemistry, Florida State University; sworn and examined by Counsel Crawford.

Government Counsel Preston cross examined as to Defense Witness.

Redirect by Defense Counsel Crawford.

The Court asked questions of Defense Witness Dudley.

The Court accepted Defense Witness as an expert in the field of chemistry only, not in pharmacology.

Government's Objection to Defense Witness rendering pharmacological opinions – ***SUSTAINED, for reasons stated on the record.***

Defendant's Objection to the *Guidelines Calculations Paragraph 32, 37, 41, and 133, Base Offense Level* – ***OVERRULED, for reasons stated on the record.***

Defendant's Motion for Downward Variance – ***GRANTED, for reasons stated on the record.***

Imprisonment: ***TWENTY-ONE (21) MONTHS, [1 Year, 9 Months].***

Supervised Release: ***THREE (3) YEARS.***

Special conditions of supervised release:

1. If Defendant is ***deported***, he shall not re-enter the United States without the express permission of the appropriate governmental authority.
2. Defendant, having been convicted of a qualifying felony, shall cooperate in the collection of ***DNA*** as directed by the probation officer.
3. The mandatory drug testing provisions of the Violent Crime Control Act are ***imposed***. The Court orders Defendant to submit to random drug testing not to exceed 104 tests per year.

Fine is ***waived***.

Special Assessment: The total assessment amount is ***\$100.00***. The total assessment is due and payable immediately.

After considering the advisory sentencing guidelines and all of the factors identified in Title 18, United States Code, Sections 3553(a)(1) – (7), the Court finds that the sentence imposed is sufficient, but not greater than necessary, to comply with the statutory purposes of sentencing.

Defendant entered a guilty plea to Count 2 of the Indictment in return for the dismissal of Count 1. Accordingly, the Court orders that Count 1 of the Indictment be dismissed.

Defendant advised of right to appeal and to counsel on appeal.

The Court makes the following recommendations to the Bureau of Prisons:

- Defendant be incarcerated at the correctional facility at **FCI, COLEMAN**, as his first choice.

Defendant is remanded to the custody of the US Marshal.

***Court Adjourned.***

GUIDELINE RANGE DETERMINED BY THE COURT AT SENTENCING

Total Offense Level	19
Criminal History Category:	I
Imprisonment Range	30 - 37 months
Supervised Release Range	3 years
Restitution:	Not Applicable
Fine Range	\$6,000 - \$1,000,000
Special Assessment	\$100.00